



Franklin Regional Council of Governments

Mr. Frank Gardner, Region 1
U.S. Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, MA 02109-3912

January 29, 2019

Dear Mr. Gardner:

The Franklin Regional Council of Governments (FRCOG) is pleased to submit this application for an EPA Brownfield Assessment grant. The FRCOG is submitting this application as a region-wide assessment proposal for sites in Franklin County, Massachusetts potentially contaminated by hazardous substances. Franklin County is the most rural areas in Massachusetts and many town centers are located in river valleys susceptible to flooding. Under our Regional Brownfield Program sponsored by the EPA, we have assessed or completed clean-up activities at 65 sites in 20 towns.

We have a waiting list of Brownfield sites and will focus on four economically distressed and blighted areas of Franklin County: Turners Falls in Montague, downtown Orange, and the downtown and I-91 areas in Greenfield. These "Target Areas" have high poverty rates and are suffering from disinvestment and blight. The welfare of these neighborhoods has been negatively impacted by Brownfield sites, which depress property values, deter private investment and pose potential risks to public health and the environment if contamination has been released to the soil or groundwater. The requested assessment grant will allow us to continue our Regional Brownfield program. To date, 72% of properties assessed or cleaned up under our Regional Brownfield Program have been in Environmental Justice areas, areas with high poverty rates or minority populations. Over \$38.3 million in public and private funding has been invested to redevelop these Brownfield properties.

A regional approach to Brownfield assessment and public outreach will support our region's efforts to redevelop vacant or underutilized sites for a mix of residential, commercial, light industrial and recreational uses, which is a critical strategy of regional and local revitalization plans and an opportunity to make our communities more resilient. These plans call for mixed use development in town centers served by transit, which have water and sewer infrastructure, provide shopping and other services, and incorporate stormwater management and flood mitigation techniques. Planning to improve public health is also underway as the region suffers from high rates of obesity, asthma, and diabetes. Our regional Brownfield program supports our rural communities that have very limited staff capacity and builds upon our past success to revitalize downtowns, restore tax bases, clean-up the environment, and provide green spaces to support public health and recreation. The EPA Brownfields Program has been instrumental in advancing the reuse of properties in our region and we look forward to your favorable consideration of this proposal.

Sincerely,

Linda Dunlavy, Executive Director

IV.D. Narrative Information Sheet

1. **Applicant Identification:** Franklin Regional Council of Governments (FRCOG), 12 Olive Street, Suite 2, Greenfield, MA 01301; **DUNS Number:** 03-367-7865
2. **Funding Requested:**
 - a. **Grant Type:** Assessment (Community-wide project - period 36 months)
 - b. **Federal Funds Requested:** \$200,000
 - c. **Contamination:** Hazardous Substances
3. **Location:** The project will cover the 26 municipalities in Franklin County, Massachusetts. Particular emphasis will be on four economically distressed and blighted areas (“Target Areas”): Turners Falls in Montague, downtown Orange, and the downtown and I-91 areas in Greenfield that have high rates of poverty and are impacted by blight.
4. **Property Information:** Not Applicable
5. **Contacts:**
 - a. **Project Director:** Peggy Sloan, AICP, Director of Planning & Development; Franklin Regional Council of Governments; 12 Olive Street, Suite 2, Greenfield, MA 01301; **Phone:** 413-774-3167 x133 **Fax:** 413-774-3169 **E-Mail:** psloan@frcog.org
 - b. **Chief Executive:** Linda Dunlavy, Executive Director; Franklin Regional Council of Governments; 12 Olive Street, Suite 2, Greenfield, MA 01301; **Phone:** 413-774-3167 x103 **Fax:** 413-774-3169 **E-Mail:** lindad@frcog.org
6. **Population:**

Franklin County, Massachusetts has a population of 70,926, with Target Area populations of: 4,041 for Turners Falls (CT 407.01), 4,168 for downtown Orange, 4,532 for downtown Greenfield, and 2,689 for the I-91 area of Greenfield, according to the U.S. Census 2017 American Community Survey (ACS). *All data in Section IV.E. Narrative is from the 2017 ACS unless otherwise noted.*
7. **Other Factors Checklist:** See checklist in Attachments.

Other Factors	Page #
Community population is 10,000 or less.	Page 1
The applicant is, or will assist, a federally recognized Indian tribe or U.S. territory.	N/A
The priority brownfield site(s) is impacted by mine-scarred land.	N/A
The priority site(s) is adjacent to a body of water (i.e., the border of the priority site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	Page 1
The priority site(s) is in a federally designated flood plain.	Page 1
The redevelopment of the priority site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or any energy efficiency improvement projects.	Page 3
30% or more of the overall project budget will be spent on eligible reuse planning activities for priority brownfield site(s) within the target area.	N/A

8. **Letter from State:** A letter from the MA Department of Environmental Protection is attached.

SECTION IV.E. NARRATIVE /RANKING CRITERIA

1. PROJECT AREA AND PLANS FOR REVITALIZATION (30 Points)

1.a. Target Area and Brownfields [15 points]

1.a.i. Background and Description of Target Area (5 points)

Franklin County is located in the upper Connecticut River valley in western Massachusetts and is the most rural area in the State, with 25 of its 26 towns having less than 10,000 people. The 26 towns in rural Franklin County have a population of 70,926 and cover 725 square miles. The major population and employment centers are found along the three rivers that transect the region: the Millers River to the east, the Deerfield River to the west, and the Connecticut River in the center. Historically, the region's economy was agriculturally based, due to the high quality farmland in the fertile Connecticut River valley. However, by the 19th century the manufacturing sector became dominant due to the abundant hydropower in the region and the vast natural resource base. Compact mixed use town centers were the focus of work and life. In recent decades, the manufacturing sector has declined significantly and once productive properties have fallen into disrepair and blight. These properties pose public health and safety risks due to arson and vandalism. In many cases property taxes are no longer paid while municipal expenses related to these blighted properties increase.

As manufacturers have closed there has been a loss of full-time jobs with benefits, and poverty has become more prevalent. Underemployment remains a chronic issue in Franklin County. The effects of Brownfield sites in town centers has been disinvestment and blight. Consequently, property values in the Target Areas are depressed and housing is largely substandard. Our rural towns are struggling to provide basic services such as education, road maintenance, and public safety, with part-time staff and rely primarily on residential property taxes. The Target Areas are: Turners Falls in Montague, downtown Orange, and the downtown and I-91 areas in Greenfield. These areas suffer from high poverty rates ranging from 14.7% to 24.0% in comparison to 15.6% for the Nation. A regional approach is cost effective for our distressed communities. The goals of our Brownfield Program are community revitalization and economic development by conducting assessments and redeveloping sites for commercial, light industrial, housing and/or recreation use.

1.a.ii. Description of the Priority Brownfield Sites(s) (10 points)

The Target Areas for Brownfield assessments are located in major employment centers served by public transit and offer a mix of services and land uses. Yet, three of the areas are designated as Slum & Blighted areas according to the guidelines of the MA Department of Housing & Community Development and HUD. These are areas where more than 25% of the properties within the study area have experienced physical deterioration of buildings and have abnormally low property values or where 25% of the public infrastructure is in poor or fair condition and is in a general state of deterioration based on an engineering assessment conducted. These Target Areas are also Environmental Justice (EJ) areas. In 2015, EJ areas were defined, at the town or Block Group Census level, as those having 12% or more of the population below poverty level or having a minority population greater than 9%. We have a waiting list of six hazardous substances sites to be assessed in the Target Areas and seven additional sites in EJ areas. Many are located adjacent to major rivers and several are located in a federally designated floodplain zone. For example, the Griswold Mill (11 Power St., Montague) is a priority site in the Turners Falls village center. Arson ruined this iconic structure in the historic canal district adjacent to the Connecticut River. An ESA is needed to prevent environmental harm and to attract mixed use development including housing and commercial development envisioned in local and regional redevelopment plans.

All four Target Areas have higher unemployment rates than the State and Nation. Three of the Target Areas have nearly 10% or higher rates. Earnings are significantly lower than the State and Nation. For two of the Target Areas, the median earnings for workers is 70% of the nation's median and 55% of the state's. In addition, underemployment is a chronic problem for the region as workers struggle with part-time jobs which do not provide benefits. Median household income for the Target Areas ranges from 57% to 77% of the National figure and 44% to 60% of the State.

Brownfield sites in the Target Areas are located in historic town centers in densely developed neighborhoods. They have deteriorating buildings and some have been severely damaged by fire and subject to vandalism. Town centers serve as major employment centers for the region and support a mix of land uses (residential, commercial, light industrial) and provide many services (public transit, health care, recreation, social services) in addition to employment. Many of the potential hazardous substances sites are former manufacturing facilities (paper, silversmiths, cutlery, tool & die, other metal working) and are surrounded by commercial uses and residential housing. For example, the Strathmore Mill and other mills in Turners Falls are priority sites within the Target Areas because they are immediately adjacent to the Connecticut River, residential neighborhoods and the downtown business district. The most common contaminants found in these areas are: Volatile organic compounds (VOCs); Polynuclear aromatic hydrocarbons (PAHs), Polychlorinated biphenyls (PCBs); and Cyanide and Metals.

1.b. Revitalization of the Target Area [9 points]

1.b.i. Redevelopment Strategy and Alignment with Revitalization Plans (5 points)

Supporting the reuse of Brownfield sites removes blight in downtown areas and is an important recommendation of regional and local revitalization plans. The need for more Brownfield assessment work was identified by our HUD funded *Sustainable Franklin County: A Regional Plan for Sustainable Development (RPSD)* completed in 2013. The RPSD is a long term plan that guides planning, policy development and implementation work at the regional and local level to increase the region's sustainability and to assist in local revitalization efforts. The RPSD addresses housing, transportation, economic development, energy, infrastructure, and natural and cultural resources, including our food systems. It identifies priority development areas such as the Target Areas served by transit and existing infrastructure. It also identifies priority protection areas including prime farmland and forestland critical to our long term sustainability and ability to provide food, clean drinking water, fresh air, and carbon sequestration. A key goal of the RPSD is the assessment, clean-up and reuse of Brownfield sites to support economic development and the provision of housing. During scenario planning exercises conducted across the region, over 100 participants prioritized the reuse of Brownfield sites in town centers for a mix of residential and commercial uses and supported the protection of forests and farmland in rural outlying areas.

The Target Areas for this grant are in mixed use historic town centers with water, sewer and telecommunications infrastructure and are served by public transit. Reuse of these sites for a mix of uses including housing is consistent with the RPSD. This growth pattern will result in lower housing and transportation costs, improve affordability for low income household and increase access to services and shopping. It will expand housing options for seniors and low income households. In rural areas such as Franklin County, public transportation access is critical for low income households as well as seniors and the disabled unable to drive. The expense of driving long distances to access jobs or basic services is the second largest cost for families after housing. According to HUD, a household should spend no more than 45% of its income on housing and

transportation combined. The Center of Neighborhood Technology's 2018 index of housing and transportation costs assesses affordability by location. It determined the average household in Franklin County spends 53% of its income on housing and transportation.

At the town level, the RPSD is used as a framework for local planning and land use regulations. Local downtown revitalization plans for Greenfield, Turners Falls and Orange also call for a mix of uses, including housing, recreation, retail, and health services and access to transportation options to allow residents to bus, bike or walk to work or shopping. The towns of Deerfield, Greenfield, Montague and Orange are regional employment centers with over 50% of the region's population. They have completed plans or developed regulations to increase the sustainability of their communities consistent with the RPSD. This work includes a Complete Streets and Downtown Livability Plan for Deerfield, a Local Sustainable Master Plan for Greenfield, a Downtown Livability Plan for Turners Falls in Montague and Low Impact Development Regulations for Orange that support mixed use development and walkable downtowns.

1.b.ii. Outcomes and Benefits of Redevelopment Strategy (4 points)

The Target Areas for assessments suffer from blight because of abandoned or vacant properties including decrepit mills and deteriorating housing. Downtown Orange, Downtown Greenfield, and the Turners Falls Historic Mill District in Montague have all received Slum & Blight designations by the State. Blighted areas can be a danger to the public and can lead to vandalism and an increase in crime. Some of the Target Areas also lack critical services. For example, downtown Orange does not have either a grocery store or pharmacy needed by residents without a car (15% of households in downtown Orange do not have a vehicle). The outcomes and benefits of our redevelopment strategy are affordable quality housing and a mix of uses such as a grocery store, pharmacy, retail stores, and medical offices. For sites located in floodplain areas, the outcome and benefits include greater resiliency to floods and improved stormwater management.

Incorporating renewable energy facilities in redeveloped Brownfields sites is also likely. Nearly all of the towns in Franklin County are designated Green Communities by the State and have active programs to support energy efficiency and renewable energy projects. Past redevelopment of Brownfield sites have incorporated green building techniques to reduce energy use and have incorporated solar panels and geothermal wells. For example, a site previously assessed is now a net-zero energy intermodal (bus, rail) transit center in Greenfield with solar panels and geothermal wells. In addition, redevelopment at many Brownfield sites is subject to the "Stretch Energy Code," a part of the building code adopted by State designated Green Communities. Buildings under the Stretch Code are constructed to a higher energy efficiency standard. Twenty-four of the 26 Franklin County towns (92%) are State designated Green Communities including Greenfield, Montague, and Orange, the Target Area towns. Redevelopment of sites in the Target Areas will benefit economic development, public health and safety, and recreation, and aligns with reuse strategies. A Brownfield site assessed under a previous EPA grant illustrates the outcome and benefits of an ESA. A part of the former Lunt Silversmith site was successfully assessed, cleaned up and redeveloped into the County's only addiction treatment facility. Over \$5.5 million of private investment was leveraged, the tax base was increased, and 83 jobs were created.

1.c. Strategy for Leveraging Resources (6 points)

1.c.i. Resources Needed for Site Reuse (4 points)

FRCOG has a long track record of successfully securing resources following Environmental Site Assessments (ESA) for the purpose of reuse planning, clean-up, demolition (if needed), infrastructure investment, and site redevelopment. Leveraged resources that can be secured

include State and Federal grant programs, town funding, donations from private firms, and the FRCOG RLF Program. For example, ESA work completed for the Ramage Mill in the Town of Monroe allowed the FRCOG on behalf of the Town to secure clean-up and demolition funding. The mill was so deteriorated that it was likely to collapse into the Deerfield River, which would harm hydroelectric generation and the whitewater rafting industry in this town of 120 people. The ESA in 2016 led to clean-up, demolition, and construction of a new Overlook Park using \$100,000 from the FRCOG RLF funds for clean-up and \$30,000 from a private hydro utility and \$520,000 from the State for demolition and construction. In Erving, reuse of a Brownfield site for a riverfront park provides access to the Millers River and hiking trails in a State forest. The park offers village center residents recreation opportunities and supports businesses by attracting tourists to the downtown that utilize dining and shopping services. The ESA leading to the park resulted in roughly \$1.2 million invested in clean-up and improvements along the Millers River.

The ESAs and the associated public outreach are a critical first step in documenting the need and estimated cost of a Brownfields clean-up. It has allowed the FRCOG and towns to leverage a variety of resources from federal Community Development Block Grant (CDBG) to the U.S. Economic Development Administration. Several towns in Franklin County have utilized the Chapter 43D Expedited Permitting funds offered by the State to assist with redevelopment of Brownfield sites assessed under our program, including the Strathmore Mill (Montague), First National Bank Building (Greenfield), and Putnam Hall (Orange). These towns received a total of \$260,000 to streamline permitting and conduct pre-development activities and marketing. The FRCOG invests roughly \$25,000 per year in staff time to support Brownfield redevelopment. Another important leveraged resource is the Franklin County Community Development Corporation's (FCCDC) Lending Program, a loan fund available to businesses for property acquisition, renovations, or equipment. A past Brownfield site, a decrepit gas station and general store in Bernardston was assessed through an EPA grant. The property owner secured a \$150,000 FCCDC loan to redevelop the site which is now home to 2 businesses and employs 15 people.

1.c.ii. Use of Existing Infrastructure (2 points)

Our Target Areas for this grant are in mixed use town centers that have water, sewer, and telecommunication infrastructure and are served by public transit. Redevelopment in these areas results in lower housing and transportation costs and improves affordability for residents. The Target Areas have access to services and shopping and more housing options for seniors and low income households. Increasing density in the Target Areas will also support the maintenance of critical infrastructure through user fees and support for capital improvements. Towns have access to MassWorks, Mass Development and CDBG funding if infrastructure improvements are needed to support redevelopment. For example, Montague leveraged CDBG funding to prepare bid-ready specifications to clean-up and demolish selected buildings on the Strathmore site to support reuse of the remaining buildings and existing infrastructure. Orange has applied for CDBG funding to upgrade its sewer infrastructure to support downtown redevelopment, including housing.

2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT [20 points]

2.a. Community Need for Funding (12 Points)

Many Franklin County towns have experienced population, labor force and tax revenue declines as a result of mill closures and layoffs caused by shifts in technology and foreign competition. Since 2015, three major manufacturers have closed their facilities in the county, resulting in 300 jobs lost. Two of these mills are in Target Areas. In addition, the Vermont Yankee Nuclear Power plant closure in 2015 in nearby Vernon, Vermont led to over 600 job losses, of which 114 were

held by Franklin County residents. The wages offered by these facilities were among the highest in the region and have not been replaced. With 25 of the 26 towns in the region having populations of less than 10,000, our towns do not have the staff or resources to undertake a Brownfield assessment program on their own. Due to Massachusetts' law, property tax levies are capped at no greater than a 2.5% increase in a year, unless an override is passed at Town Meeting. In economically distressed rural towns, an override is extremely challenging to pass, which makes it very difficult for towns to invest in infrastructure or other improvements needed to redevelop properties and attract private investment and new jobs. Access to State and Federal funding and a regional approach to Brownfields assessment is critical.

The FRCOG serves the 26 towns of Franklin County and we rely on Federal and State grants to provide needed services to our member towns, which are among the poorest in the State. Only 8% of the FRCOG total operating budget comes from the assessment provided by member towns. As a result, the FRCOG does not have resources to fund ESAs or staff time for the numerous Brownfield sites in the region without an EPA grant. Our regional approach is cost effective and advances reuse of Brownfield sites so they can again generate tax revenues, create employment opportunities and expand housing options. Franklin County towns work together as a region and the FRCOG provides staff capacity and services related to planning, purchasing, building, inspections, and public health. EPA funding will allow the FRCOG and a qualified environmental professional, selected in accordance with a competitive procurement process, to provide environmental site assessment (ESA) services to our rural communities. ESA services are critical to revitalization efforts. Sadly, Franklin County remains one of the poorest regions in the State and our industrial legacy has left behind many Brownfields.

2.a.ii. Threats to Sensitive Populations (9 points)

(1) Health & Welfare (3 points)

The Target Areas for ESAs suffer from blight because of abandoned or vacant properties including decrepit mills and deteriorating housing straining municipal budgets and services. Downtown Orange, Downtown Greenfield, and the Turners Falls Historic Mill District in Montague have all received Slum & Blight designations by the State. Blighted areas are a danger to public welfare and can lead to vandalism and increased crime. Franklin County has a higher rate of violent crime (372 incidents per 100,000) compared to the adjacent counties of Hampshire and Berkshire (2017 *Community Health Improvement Plan; FRCOG*). Vandalism and arson are particular problems for Target Areas that contain vacant mills. In 2007, two Brownfield sites, the Usher Mill in Erving and the Strathmore Mill Building #10 in Turners Falls, were devastated by arson resulting in major clean-up projects that utilized FRCOG Brownfield RLF/subgrant funding. In 2017, another mill in Turners Falls was devastated by arson. All three sites were located along rivers. Sites subject to arson often have asbestos containing materials which impacts air quality and the welfare of the surrounding neighborhood, and can contaminate nearby waterways. An assessment grant will improve the welfare of residents by identifying contaminants and clean-up requirements leading to the clean-up and removal of blight and hazardous structures and materials.

Some of the Target Areas also lack critical services important to neighborhood health and welfare, which is very problematic for residents without cars or access to public transit. For example, downtown Orange does not have either a grocery store or a pharmacy. Fifteen percent of households in downtown Orange do not have a vehicle, while in the I-91 area of Greenfield 25% do not have vehicles. Providing affordable quality housing and a mix of uses such as a grocery store, pharmacy, retail stores, and medical offices is important. Franklin County has a low rate of

primary care physicians in relation to its population (1,290:1 versus 950:1 State) and providing accessible health care services in downtown locations served by transit is critical.

(2) Greater than Normal Incidence of Disease and Adverse Health Conditions (3 points)

Three of the Target Areas have a high percentage of sensitive populations of children (greater than 20%), or women of child bearing age (40% or greater). A Community Health Needs Assessment (CHNA) completed in 2016 by the Baystate Franklin Medical Center found the following chronic health conditions for Franklin County residents: High rates of *obesity, cardiovascular disease, diabetes, asthma, chronic pulmonary obstructive disease* and associated morbidities. An estimated 54% of adults in the population are overweight or obese with high rates also observed among children. Nearly one in five Franklin County residents has either prediabetes or diabetes, and a number of communities have high diabetes hospitalization rates, which is a measure of severe morbidity. Residents are also impacted by asthma, particularly children.

Chronic obstructive pulmonary disease (COPD) impacts many residents in Franklin County and refers to “a group of diseases that cause airflow blockage and breathing-related problems,” including emphysema, chronic bronchitis, and asthma. It was the 3rd leading cause of death in the U.S in 2011. The ER visit rate for COPD in Franklin County was 12% higher than that of the State. Among the targeted communities, Orange had the highest ER visit rate, which was more than double the rate of Franklin County. The ER visit rates in Greenfield and Montague were 26-31% higher than Franklin County overall (MDPH 2012). Finally, the region, like other areas of the country, has seen opioid use emerge as a public health crisis. Opioid overdose fatalities in the county were higher than the State with 13.2 fatalities per 100,000 compared to 10.7 statewide.

(3) Economically Impoverished/Disproportionately Impacted Populations (3 points)

Franklin County has had the lowest average earnings per job in the State since 2001. In 2016, the average earnings per job was only 61% of the State average and 72% of the National average (*Source: US Bureau of Economic Analysis*). The Target Areas have concentrated areas of poverty, with rates that range from 14.7% to 24%, compared to 14.6% for the U.S. Seventeen percent (17%) of the children in Franklin County live in poverty according to County Health Rankings prepared by the Robert Wood Johnson Foundation. Countywide, 11 of 26 towns are below the national median household income, and 21 towns are below the State. Housing is considered to be affordable when a household pays no more than 30% of its gross income on housing costs. In the Target Areas, 42% to 52% of households have unaffordable housing.

2.b. Community Engagement (8 points)

2.b.i. Community Involvement (5 points)

FRCOG is fully engaged with its member towns and Community Organizations (COs) to identify and select sites, solicit feedback on progress, and implement and report on assessment, clean-up and reuse planning activities. The plan for involving affected communities in site identification and selection has several tasks. The FRCOG has a list of hazardous substances sites submitted by our member towns and collects MA Department of Environmental Protection (MADEP) records to identify other sites and prepares a town survey to capture any additional sites. This survey is distributed to municipal officials including Select Boards, Planning Boards, and Boards of Health.

The longstanding (16+ years) Brownfield Steering Committee meets quarterly and notices are posted on our website. Members of the Committee include municipal officials that represent the Target Areas and other towns, local banks, the Franklin County Housing & Redevelopment Authority (FCRHRA), the Franklin County Community Development Corporation, Community

Action, and the Franklin County Chamber of Commerce. Meetings are open to the public and held in the FRCOG accessible conference room in Greenfield. The building is served by public transit. COs have also committed to working with FRCOG staff as outlined in Table 1 below.

Table 1	Community Organizations
Community Action	Outreach to neighborhood and community groups; participation in Franklin County Resource Network (diverse social and human service agencies); site referral
Franklin County Chamber of Commerce	Outreach to Board of Directors (local businesses and community leaders); newsletters inserts; site referral
Franklin County Community Development Corporation	Outreach to Board of Directors and Loan Review Committee (local bankers, business and community leaders); newsletters inserts; site referral
FCRHRA	Outreach to community groups and clients; site referral

2.b.ii. Incorporating Community Input (5 points)

We conduct information sessions in communities where an assessment is being conducted and also present annually to the Franklin Regional Planning Board (FRPB), which has a member from each town's Select Board and Planning Board and up to 18 At-Large members. These meetings are covered by the press, and agendas and minutes are posted on our website. We work closely with our COs, Community Action and the FCRHRA, that serve low income populations to help inform residents of public meetings for Brownfield assessments. We also present yearly to the Mohawk Area Public Health Coalition (MAPHCO), which has local Boards of Health members.

We typically conduct 4-6 information sessions for municipal officials and neighborhood residents to provide information about ESAs. These meetings, held at Town Halls or in neighborhood locations, provide an opportunity to get input from residents about health concerns or reuse ideas. They are often televised on local cable access. Franklin County does not have a large population of residents who speak English less than "very well". According to 2017 ACS data, 5% of the population over the age of 5 in Franklin County does not speak English "very well" compared to 18% and 17% for the State and Nation. The languages most identified as spoken at home by residents who speak English less than "very well" are Spanish and Russian. If a neighborhood meeting would benefit from using another language, FRCOG will have an interpreter present the information and receive feedback.

3. TASK DESCRIPTIONS, COST ESTIMATES, & MEASURING PROGRESS [35 points]

3.a Description of Tasks & Activities (15 points)

Project Implementation (10 points)

The FRCOG solicits sites from towns and the Brownfield Steering Committee and the EPA reviews and approves the sites. Brownfield sites in Target Areas are given priority for funding and we have a waiting list of 6 sites in the Target Areas and 7 additional sites in other EJ areas. The FRCOG will prepare a Request for Proposals for a Qualified Environmental Professional (QEP) in accordance with Federal and State procurement laws. We typically complete the procurement process and have a QEP under contract within 3 months from the start of the EPA Cooperative Agreement. Massachusetts has a privatized system for Brownfield assessments and remediation. All work is conducted according to the Massachusetts Contingency Plan (MCP) and EPA requirements by a State Licensed Site Professional (LSP) or QEP. Phase I environmental site assessments (ESAs) are conducted according to ASTM requirements include a MADEP and

EPA record search, review of town files, interviews with municipal officials, an environmental database search, and review of historical mapping. An inspection is made at the site boundary or on-site if permission is given. A title records review is also done.

Phase II ESAs include soil and groundwater testing as determined by the Phase I ESA or a Hazardous Building Materials Assessment. A site access agreement is negotiated and signed by the property owner prior to testing or a Court order for access is obtained. In addition, a Quality Assurance Project Plan (QAPP) is prepared prior to testing and submitted to EPA for approval. The results of soil and groundwater testing are compared with MCP standards to determine if MADEP notification or clean-up is required. Phase III Remediation or Reuse Plans identify clean-up approaches and give a cost estimate for remediation and/or site reuse. Eighty percent of the funding will be spent on Phase I and II ESAs and Remediation/Reuse Plans. The remainder is for public education/outreach, site access agreements, Brownfield site inventory and GIS mapping, completing ACRES and other reporting, and overall project coordination. During the assessment of sites, our LSP works with the MADEP and local Boards of Health to protect sensitive populations and neighborhoods. If a release to the environment poses an imminent public health threat to residents, the MADEP requires immediate notification and prompt action to be taken.

Tasks/Activity Lead (5 points)

Task 1: Oversight of Cooperative Agreement and Project Coord. (Lead FRCOG 100 Staff Hours)

- Oversight of Cooperative Agreement including preparation of Quarterly Reports;
- Support and coordination for the Brownfields Steering Committee (meeting notices, mailings, etc.) and the Qualified Environmental Engineering Professional; and
- Tracking of Outputs including site assessments completed, funding leveraged, jobs created, and greenspace/recreation areas provided and data entry into EPA's ACRES database.

Task 2: Community Involvement & Public Outreach & Education (Lead FRCOG 200 Staff Hours)

- Quarterly meetings with the Brownfields Steering Committee and meetings with municipalities, property owners or potential developers for site assessments;
- Presentations to the Franklin Regional Planning Board, COs or towns where ESAs are being conducted to get input about resident's concerns or reuse ideas;
- Outreach to towns to update GIS inventory mapping of Brownfield sites for assessment; and
- Update the fact sheet and GIS inventory for the FRCOG Regional Brownfield program.

Task 3: Site Approval, Site Access Agreements and Strategies (Lead FRCOG 85 Staff Hours)

- Submit sites to the Brownfields Steering Committee and EPA for review and approval;
- Work with private property owners and municipal officials in Target Areas to negotiate site access agreements for Phase II ESAs in coordination with QEP; and
- Hire legal counsel as needed to assist with securing site access for ESAs.

Task 4: Conduct 6-8 Phase I ESAs, 3-4 Phase II ESAs and prepare 1-2 Phase III Remediation Plans or Site Reuse Plans (Lead QEP supplemented by 85 FRCOG Staff Hours)

- Conduct procurement process for environmental engineering services (preparation of Request for Proposals, proposal review, and selection and contracting with a QEP);
- QEP completes Phase I ESAs (\$3,000-\$4,000 each); Phase II ESAs (\$30,000-\$50,000 each); and Phase III Site Remediation or Reuse Plans (\$5,000-\$10,000 each)
- FRCOG Staff review all ESAs and Remediation or Reuse Plans prepared; and
- QEP and FRCOG conduct Public Outreach program in coordination with towns and COs.

3.b. Cost Estimate (10 points) – Hazardous Materials Assessment Grant

Table 2 Budget Categories	Task 1 (87.5 hours)	Task 2 (175 hours)	Task 3 (85 hours)	Task 4 (87.5 hours)	Total
Personnel ¹	\$3,500	\$7,000	\$3,400	\$3,500	\$17,400
Fringe	\$1,805	\$3,608	\$1,752	\$1,805	\$8,970
Travel	\$450	\$1,000			\$1,450
Supplies/Printing/Mailings	\$400	\$400			\$800
Contractual ²			\$1,500	\$160,000	\$161,500
Indirect	\$1,995	\$3,990	\$1,900	\$1,995	\$9,880
Total	\$8,150	\$15,998	\$8,552	\$167,300	\$ 200,000

*Personnel costs based on an average of \$40/hour; **Contractual Estimates include Legal Counsel for Site Access Strategies (Task 3) and Qualified Environmental Engineering Professional ESAs (Task 4)

Outputs (5 points)

- 10 Quarterly Reports and EPA Acres Reporting (Task 1)
- 10 meetings with the Brownfields Steering Committee; 8-10 meetings with municipalities, property owners or potential developers; annual presentations to the Franklin Regional Planning Board; 4-6 ESA presentations to COs/residents/town officials (Task 2)
- GIS maps of sites in Target Areas and Fact Sheet on Regional Brownfield program. (Task 2)
- Submit sites to the Brownfields Steering Committee and EPA for approval (Task 3)
- Work with private property owners and municipal officials in Target Areas to negotiate site access for Phase II ESAs. Hire legal counsel as needed to gain site access for testing (Task 3).
- Procurement according to M.G.L. Ch. 30B and EPA requirements for QEP services (Task 4)
- 8-10 Phase I ESAs; 4-5 Phase II ESAs and 1-2 Phase III Remediation or Reuse Plans (Task 4)

3.c. Measuring Environmental Results (5 points)

We will prepare a work plan including milestones if awarded an EPA Brownfield hazardous substances grant and will monitor our progress on a quarterly basis to assess our success in completing the Tasks and Outputs outlined in our proposal. Eighty percent of the funding will go directly to performing Phase I & II ESAs and Remediation and Reuse Plans. Procurement of a QEP is typically completed within 3 months of receiving the contract. Since we have a waiting list of potential sites in the Target Areas, we can begin work as soon as we receive approval from the EPA for the sites approved by the Brownfield Steering Committee. FRCOG staff time to conduct public outreach, conduct procurement and oversight of the environmental professional selected and coordinate activities under the Cooperative Agreement is tracked quarterly. Specific outputs completed each quarter are identified such as the number of Phase I or II ESAs started or completed. This allows FRCOG and EPA staff to easily track progress.

4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE [15 POINTS]

4.a. Programmatic Capability [9 points]

4.a.i. Organizational Structure (5 points)

The Project Team has the programmatic experience and administrative capacity to successfully manage and complete the grant in the 3-year period of performance. In the past we have met or exceeded the requirements of our work plan and outputs and have an efficient existing system to implement Brownfields grants. The Project Manager is Peggy Sloan, Director of Planning & Development with over 25 years of experience with economic development projects and 18 years of experience managing the Regional Brownfield Program for Franklin County, including site assessment, clean-up, and redevelopment, negotiating site access for ESAs and administering a

RLF/subgrant program. Jessica Atwood, Economic Development Program Manager, has 20 years of economic development experience and 10+ years of experience working on the Regional Brownfield Program. Other staff that work on the Brownfield Program are Kimberly MacPhee, P.G./CFM, Land Use/Natural Resources Program Manager and Ryan Clary, Senior GIS Specialist.

4.a.ii Acquiring Additional Resources (4 points)

The FRCOG Chief Procurement Officer has extensive experience conducting public procurement to secure additional resources, such as the QEP, in accordance with State and Federal requirements. The FRCOG has 20 years of experience managing Federal and State funds, overseeing subcontractors, including QEPs, and has secure financial systems in place. Our agency is audited annually by an independent CPA firm in accordance with the requirements of OMB Uniform Guidance (2014) and the government auditing standards issued by the Comptroller General of the United States (GASB). In our most recent audit (Fiscal Year 2017), there were no material weaknesses or audit findings identified in the “Independent Auditors’ Reports Pursuant to Governmental Auditing Standards and Uniform Guidance.”

4.b. Past Performance & Accomplishments (6 points)

4.b.i. Currently or has ever Received an EPA Brownfield Grant (6 points)

(1) Accomplishments

Under previous EPA assessment grants, the FRCOG has successfully completed ESAs at 65 sites in 20 towns in Franklin County. This includes 62 Phase I ESAs, 28 Phase II ESAs and 8 Phase III Remediation Plans or Response Action Outcomes as shown in Table 3. We have met or exceeded Work Plan requirements for previous grants. The FRCOG has negotiated site access agreements for sites that had testing of soil and groundwater or building interiors. Also, we have assisted towns with securing site access through Board of Health actions. Some of our products, such as our Request for Proposals for hiring a QEP have been used as models by EPA Region staff.

Table 3 - Previous EPA Awards	Phase I ESA	Phase II ESA	Phase III/RAO	Other Activities
2002 Hazardous Substances	9	5	4	1
2004 Hazardous Substances	12	4	2	3
2007 Petroleum Products	9	5	0	1
2009 Hazardous Substances	8	4	1	1
2011 Hazardous Substances	10	4	1	2
2014 Hazard. Sub. & Petro.	14	6	0	1
TOTAL	62	28	8	9

(2) Compliance with Grant Requirements:

The FRCOG has complied with past Work Plans for six previous EPA grants. We submitted quarterly reports, financial status reports, and property profile forms to our EPA Project Manager and other EPA staff within 30 days from the end of the quarter and completed ACRES within the required time frames. Under previous closed-out grants we have met or exceeded the expected outputs. The requested grant will allow us to continue and expand our program to more properties contaminated by hazardous materials. All of the EPA Brownfield assessment grants previously received were fully expended. The last 3 assessment grants are summarized shown in Table 4.

Table 4 - EPA Brownfields Grants Awarded	Award Year	Budget	Grant Status
Hazardous Substances (2B-96108801-0)	2009	\$200,000	Completed 12/30/11
Hazardous Substances (BF-96148501-0)	2011	\$200,000	Completed 12/30/14
Hazardous Substances & Petro. (BF-96191001-0)	2014	\$300,000	Completed 9/30/18

ATTACHMENTS

Attachment A: Letter from State (Section IV.D.8.)

- Mass. Department of Environmental Protection (MADEP)

Attachment B: Applicant Eligibility (Section III.A.)

- Franklin Regional Council of Governments Enabling Act

Attachment C: Threshold Criteria for Assessment Grants (III.B.)



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

December 19, 2018

U.S. EPA New England
Attn: Frank Gardner
5 Post Office Square, Suite 100
Mail Code: OSRR07-3
Boston, MA 02109-3912

RE: STATE LETTER OF ACKNOWLEDGMENT
Franklin Regional Council of Governments, Application for EPA Assessment Grant Fund

Dear Mr. Gardner:

I am writing to support the proposal submitted by the Franklin Regional Council of Governments (FRCOG) under the Fiscal Year 2019 U.S. Environmental Protection Agency (EPA) Brownfield Assessment Grant Program. If awarded, the FRCOG intends to update its inventory of Brownfields sites potentially impacted by hazardous substances using MassDEP data and by soliciting Franklin County municipalities and organizations that may be aware of potential sites. The FRCOG will invite municipalities and property owners to formally submit eligible sites for consideration, address sites that have been previously submitted for consideration and are on the assessment waiting list, conduct a public procurement process to hire expert consulting services, coordinate with EPA to ensure determination of site eligibility, and work with property owners, municipalities, state and federal Brownfields officials, and other stakeholders to coordinate the remediation and redevelopment of assessed sites for their return to productive use.

In Massachusetts, state and federal agencies have developed strong partnerships and work together to ensure that parties undertaking Brownfield projects have access to available incentives. The MassDEP, through our regional offices, provides technical support to Brownfield project proponents when regulatory issues arise. If this proposal is selected, MassDEP will work with our state and federal partners to provide the support to FRCOG that will be needed to help make this project a success.

We greatly appreciate EPA's continued support of Brownfield efforts here in Massachusetts.

Sincerely,

Paul Locke
Assistant Commissioner, Bureau of Waste Site Cleanup

cc: Peggy Sloan, Director of Planning and Development, FRCOG
Jessica Atwood, Economic Development Program Manager, FRCOG
Caprice Shaw, MassDEP-WERO

This information is available in alternate format. Call Michelle Waters-Ekanem, Diversity Director, at 617-292-5751. TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

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FRANKLIN REGIONAL COUNCIL OF GOVERNMENTS

Enabling Act

151 Acts 96, Section 567, As Amended.

Latest Amendment 402 Acts 08

The Commonwealth of Massachusetts

AN ACT RELATIVE TO THE REORGANIZATION OF FRANKLIN COUNTY

<p><i>151 Acts 96, Section 567 As Amended By 344 Acts 98</i></p>
--

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 567. (A) Notwithstanding the provisions of any general or special law to the contrary, all functions, duties and responsibilities for operation and management of the jail, house of corrections, and registry of deeds of Franklin County and all duties and responsibilities of operation and management of property occupied by the courts in Franklin County are hereby transferred to the commonwealth, subject to the provision of this section.

(B) Notwithstanding the provisions of any general or special law to the contrary, pursuant to this section, the county government of Franklin County is hereby abolished, as of July first, nineteen hundred and ninety-seven. Nothing in this section shall affect the existing county boundaries. All powers and duties of Franklin County under any existing regional services agreements or special acts are hereby transferred to the Franklin Council of Governments established pursuant to subsection (r).

(C) All valid liabilities and debts of Franklin County pertaining to the functions cited in subsection (a) which are in force on June thirtieth, nineteen hundred and ninety-seven, are henceforth obligations of the commonwealth, except as may be otherwise provided in this section.

(D) All valid leases and contracts of Franklin County pertaining to the functions cited in said subsection (a) which are in force on June thirtieth, nineteen hundred and ninety-seven, are henceforth obligations of the commonwealth and the commonwealth shall have authority to exercise all rights and enjoy all interests conferred upon the county by said leases and contracts except as may be otherwise provided in this section.

(E) Notwithstanding the provisions of any general or special law to the contrary, there is hereby transferred to the commonwealth all right, title and interest in real and personal property including without limitation, except as may be otherwise provided in this section, the Franklin County courthouse, the Franklin County registry of deeds, the Franklin County jail and house of

corrections, and the land on which they are situated and the parking facilities, fixtures and improvements located thereon or associated therewith. Such transfer shall be subject to the provisions of chapter seven of the General Laws and the jurisdiction of the commissioner of the division of capital planning and operations, or his successor, as provided therein. Personal property of the offices and meeting rooms of the Franklin County commissioners shall become the property of the Franklin Council of Governments. The transfers under this subsection shall be effective and shall bind all persons, with or without notice, without any further action or documentation. The commissioner of the division of capital planning and operations, or his successor, may, from time to time, execute and record and file for registration with such registry of deeds or land court, a certificate confirming the commonwealth's ownership of any interest in the real property formerly held by Franklin County. Funds held in trust by the County of Franklin for specific charitable or program purposes other than those pertaining to the court, jail or registry of deeds shall remain under the custody of the Franklin Council of Governments.

(F) Herlihy Park, so called, a parcel of fifteen acres, more or less, located in the town of Whately and under long term lease from the county by said town for use as a recreation area, shall be offered without consideration to the town upon dissolution of the county. If the town declines to take ownership of the property within one hundred eighty days of the offer, the commonwealth shall take possession of said property without abrogation of the lease to the town of Whately.

(G) The Franklin Council of Governments may occupy, without consideration, such space as is under control of the Franklin County commissioners in the Franklin County courthouse as of June thirtieth, nineteen hundred and ninety-seven, or its equivalent, including common use of parking. Not later than February first, nineteen hundred and ninety-eight, the Franklin Council of Governments Committee, the commissioner of the division of capital planning and operations, and the chief justice for administration and management of the trial court shall jointly recommend to the house and senate committees on ways and means alternative methods for providing suitable quarters for the Franklin Council of Governments, including fair compensation for moving expenses.

(H) Notwithstanding any general or special law to the contrary, the county commissioners of Franklin County shall on July first, nineteen hundred and ninety-seven, become known as the Franklin Council of Governments Committee and each member may serve until the end of the current term as if a county commissioner and until a successor committee member is elected. Said committee shall be the chief executive officer of the Council of Governments and shall have the powers of selectmen under sections fifty-two and fifty-six of the chapter forty-one of the General Laws. Two members of the Franklin Council of Governments Committee shall be chosen by the voters of Franklin County at the biennial state election in the year two thousand, and in every fourth year thereafter, and one committee member shall be so chosen at the biennial state election in the year nineteen hundred and ninety-eight, and in every fourth year thereafter, and in addition at each biennial state election such number of members of the committee will be so chosen as may be required to fill vacancies. No more than one of the committee members shall be chosen from the same city or town. If two persons residing in the same city or town shall appear to be chosen to said offices, only the person receiving the larger number of votes shall have been declared elected; but if they shall receive an equal number of

votes, neither person shall be declared elected. If a person residing in a city or town where a committee member who is to remain in office also resides, shall appear to have been chosen, he shall not be declared elected. If the person is not declared elected by reason of the above provisions, the person receiving the next highest number of votes for the office, and who resides in another city or town, shall be declared elected.

(I) Notwithstanding any special or General Law to the contrary, the Franklin County register of deeds in office June thirtieth, nineteen hundred and ninety-seven shall become an employee of the commonwealth under the secretary of the commonwealth effective July first, nineteen hundred ninety-seven. The register shall remain an elected official retaining local administrative control under the general direction of the state secretary. The salary of such register shall be set at a sum equivalent to sixty percent of the salary of an associate justice of the land court. The operation of the registry shall remain under the control of the register as provided by law. The budget of the registry shall be determined by the secretary of the commonwealth, subject to appropriation by the general court; the register shall appoint employees and subordinates subject to the approval of the secretary. The secretary of the commonwealth shall have the authority, if he determines after consultation with the register that a pattern of conduct, standard, practice or procedure of the registry is contrary to law, to order such official to comply with the law.

(J) Notwithstanding the provision of any general or special law to the contrary, the sheriff of Franklin County shall become an employee of the commonwealth. Said sheriff shall remain an elected official under the provisions of section 159 of chapter 54 of the General Laws and shall be known as the Franklin sheriff. Said sheriff shall operate pursuant to the provisions of chapter 37 of the General Laws. Said sheriff shall retain administrative and operational control over the office of the sheriff, the jail and house of correction.

(K) Notwithstanding any general or special law to the contrary, the Franklin County Treasurer, appointed by the county commissioners under chapter twelve of the acts of nineteen hundred ninety-five, shall on July first, nineteen hundred and ninety-seven, become known as the director of finance for the Franklin Council of Governments. The director of finance shall be appointed by the Franklin Council of Governments Committee. The director of finance shall have the powers and duties of a municipal treasurer under section thirty-five of chapter forty-one and under sections fifty-four, fifty-five, and fifty-five A of chapter forty-four of the General Laws. The director may also incur temporary debt in anticipation of revenue for a term not to exceed one year, with the approval of a majority of the Franklin Council of Governments Committee. Such temporary debt shall not exceed one half of the amount of the Council of Governments most recent year's audited total revenues, except that, for the purpose of such borrowing in the year following the transfer of functions cited in subsection (a), revenues associated with such functions may not be included to establish such total base. Sections sixteen to nineteen, inclusive, and sections twenty-one to twenty-two C, inclusive, of chapter forty-four of the General Laws shall, so far as apt, apply to debt issued under this subsection. The director of finance shall serve in the same capacity as the county treasurer with respect to the retirement system. Notwithstanding the provisions of any general or special law to the contrary, the Franklin Council of Governments committee shall assess the Franklin County retirement system for the services of the director of finance in administering the retirement system; provided,

however, that said assessment is based upon the hours devoted by the director of finance to such administration.

(L) Notwithstanding any general or special law to the contrary, effective July first, nineteen hundred and ninety-seven, the commonwealth shall assume all financial control and responsibility over the Franklin County registry of deeds, Franklin County jail and house of corrections and Franklin County courthouse operations.

(M) All revenues collected from the operation of the functions cited in subsection (a) shall become revenues of the commonwealth on and after the effective date of this section, subject to the provisions of this section. All revenues collected from the operation of the functions cited in said subsection (a) before the effective date of this section which have not been expended or encumbered on or before June thirtieth, nineteen hundred and ninety-seven, shall be transferred to the commonwealth, subject to the provisions of this section. Deeds excise taxes shall be included as revenue collected for the operation of the functions cited in subsection (a).

(N) Notwithstanding the provisions of any general or special law or rule or regulation to the contrary, the Franklin County sheriff, all deputies, jailers, superintendent, keepers, officers, assistants, and other employees of the sheriff, employed on the effective date of this section in the discharge of their responsibilities set forth in section twenty-four of chapter thirty-seven and in section sixteen of chapter one hundred and twenty-six of the General Laws, transferred by this section to the commonwealth, shall be transferred with no impairment of employment rights held immediately before the effective date of this section, without interruption of service, without impairment of seniority, retirement or other rights of employees, without reduction in compensation or salary grade and without change in union representation. Any collective bargaining agreement in effect immediately before said effective date of the transfer shall continue in effect and the terms and conditions of employment therein shall continue in effect and the terms and conditions of employment therein shall continue as if the employees had not been so transferred. Nothing in this subsection shall be construed to confer upon any employee any right not held immediately before the date of said transfer, or to prohibit any reduction of salary grade, transfer, reassignment, suspension, discharge, layoff, or abolition of position not prohibited before such date.

All demands, notices, citations, writs, precepts, and all other notices given by the sheriff, deputies, jailers, superintendents, keepers, officers, assistants or other employees of a sheriff, as the case may be, before the effective date of this section shall be valid and effective for all purposes unless otherwise revoked, suspended, rescinded, canceled or terminated in accordance with law.

Any enforcement activity imposed by the sheriff, any deputies, jailers, superintendents, keepers, officers, assistants or other employees of the sheriff, before the effective date of this section shall be valid, effective and continuing in force according to the terms thereof for all purposes, unless superseded, revised, rescinded or canceled in accordance with law.

All petitions, hearings, appeals, suits, and other proceedings duly brought against, and all petitions, hearings, appeals, suits, prosecutions and other legal proceedings begun by the sheriff,

deputies, jailers, superintendents, keepers, officers, assistants or other employees of the sheriff, as the case may be, which are pending immediately before the effective date of this section, shall continue unabated and remain in force notwithstanding the passage of this section.

All records maintained by the sheriff, deputies, jailers, superintendents, keepers, officers, assistants and other employees of the sheriff before the effective date of this section shall continue to enjoy the same status in any court or administrative proceeding, whether pending on the effective date of this section or commenced thereafter, as they would have enjoyed in the absence of the passage of this section.

Employees of the Franklin County registry of deeds shall be transferred to the commonwealth under the office of the state secretary as of the effective date of this section. The rights of such transferred employees will be governed by the same laws and rules generally applicable to employees of the state secretary.

(O) In the case of employees of the Franklin County jail or house of correction in the custody and control of the sheriff of Franklin County, the employer, as defined in section one of chapter one hundred and fifty E of the General Laws, shall mean the sheriff of Franklin County or any individual who is designated to represent the sheriff and act in his interest in dealing with employees.

(P) Notwithstanding any general or special law to the contrary, the provisions of subsection (c) of section seven of said chapter one hundred and fifty E shall apply to the sheriff of Franklin County.

(Q) Employees of Franklin County who have retired or retire on or before June thirtieth, nineteen hundred and ninety-seven shall remain a part of the Franklin County retirement system and are subject to the health insurance plans, rules and regulations of the Franklin Council of Governments. The Franklin Council of Governments shall be a member of the Franklin County retirement system as successor to Franklin County. The powers, duties and responsibilities of Franklin County with respect to group health insurance under chapter thirty-two B of the General Laws are hereby transferred to the Franklin Council of Governments. The Franklin Council of Governments shall continue to provide health insurance coverage for covered employees transferred to the commonwealth by this section until October first, nineteen hundred ninety-seven. During the period employees continue to remain covered by the Franklin Council of Governments plan, employee payroll deductions and employer contributions shall be made by the commonwealth and paid over to the Franklin Council of Governments. The Franklin Council of Governments shall pay any necessary premiums in anticipation of reimbursement from the commonwealth. The contribution ratio effective during the transition period shall be the effective ratio for state employees.

(R) The Franklin Council of Governments is hereby established within the geographical boundaries of Franklin County. Any powers previously conferred upon the Franklin County and its county commissioners by chapter four hundred and twenty-five of the acts of nineteen hundred and sixty-three as amended shall be retained by the Franklin Council of Governments and the Franklin Council of Governments Committee. The Franklin Council of Governments

Committee shall have all the powers and duties of county commissioners under chapters eighty-one to eighty-eight, inclusive, of the General Laws. The Franklin Council of Governments shall retain the powers and duties of counties under chapter 140 of the General Laws with respect to dogs and other animals.

Any and all regional planning activities or functions established for Franklin County pursuant to the provisions of chapter four hundred and twenty-five of the acts of nineteen hundred and sixty-three, and functions authorized for regional planning commissions by sections five, five A, five B, and fourteen of chapter forty B of the General Laws, shall be the responsibility of the Franklin County of Governments Committee.

The Council of Governments Committee as the executive body and the Regional Advisory Board as the legislative body shall have and may exercise any and all authority for regional planning as may be authorized by state law and shall be responsible for the establishment of policies to guide all regional planning and development activities of the Franklin Council of Governments.

The Franklin Regional Planning Board shall advise the Council of Governments Committee and Regional Advisory Board on all issues related to planning and shall make recommendations as appropriate.

The Franklin Council of Governments may apply for state, federal, or other entities' grant or other programs on such terms as apply to county governments.

(S) Notwithstanding any general or special law to the contrary, the county advisory board of Franklin County shall on July first, nineteen hundred and ninety-seven become known as the Franklin Regional Advisory Board. The advisory board shall consist of a member of the board of selectmen of each town. Each town shall have a weighted vote based on that town's assessment for expenses of the Council of Governments. Each town's weighted vote will be computed based on the most recent biennial report of the commissioner of revenue submitting the final equalization and apportionment upon the several towns of amount of property and the proportion by every one thousand dollars of regional services assessment which should be assessed upon each town, and assessment ratios for classes of property in each town under section ten C of chapter fifty-eight of the General Laws. The advisory board shall be the legislative and appropriating authority of the Council of Governments, and shall each spring adopt a budget for the following fiscal year.

(T) The Franklin County planning board shall henceforth be known as the Franklin Regional Planning Board. The board shall continue to be comprised of one member of each town's board of selectmen and planning board, the Council of Governments Committee, and fifteen at-large members from the region selected by the membership pursuant to its bylaws. The regional planning board shall advise the Council of Governments Committee and regional advisory board regarding any regional planning issue and shall act according to its bylaws.

(U) Notwithstanding the provisions of any special or general law to the contrary, any

political subdivision of the commonwealth may enter into agreement with the Franklin Council of Governments to perform jointly or for the other, or in cooperation with other entities, any service, activity or undertaking which such political subdivision is authorized by law to perform. For the term of such agreement and subject to the terms thereof, said Council of Governments shall be authorized to perform such service, activity or undertaking and the regional services area committee may designate appropriate representatives to oversee such performance, provided that the functions and duties of such representative or representatives are set forth in the agreement.

(V) Notwithstanding any special or general law to the contrary, for the fiscal year beginning July first, nineteen hundred and ninety-seven, and all subsequent fiscal years, the Franklin Council of Governments may impose a regional assessment up to one hundred and two and one-half percent of the amount of the county tax assessed under the provisions of chapter thirty-five of the General Laws for the fiscal year beginning July first, nineteen hundred and ninety-six. The regional assessment, shall be allocated among the members of the Council of Governments in proportion to their respective equalized valuations as reported to the general court by the commissioner of revenue in accordance with section ten C of chapter fifty-eight of the General Laws. The regional assessment shall be based upon the budget adopted by the regional advisory board, net of estimated revenues. The regional assessment shall be retained by the Franklin Council of Governments and shall be used solely for the purpose of providing regional or municipal services or both, under the authority granted above. The commonwealth shall not assess the towns of Franklin County for the transfer of former County functions either directly, through a reduction in local aid, or by any other means.

During the period July first, nineteen hundred and ninety-seven through June thirtieth, nineteen hundred and ninety-nine, the regional assessment may be reduced or increased from the base year of nineteen hundred ninety-seven pursuant to the action of the Council of Governments Committee and Regional Advisory Board subject to the same formula and limits of the former county tax. After June thirtieth, nineteen hundred ninety-nine, this subsection may be revised pursuant to subsection (w).

(W) A Regional Charter Commission, comprised of the Franklin Council of Governments Committee or its statutory antecedent and one representative from each municipality appointed by the board of selectmen shall be constituted on or before October first, nineteen hundred and ninety-six, and shall report a recommended structure for the Council of Governments not later than December thirty-first, nineteen hundred and ninety-seven. Each member shall have one vote and proceedings shall be conducted pursuant to Roberts Rules of Order. Matters shall be determined by simple majority vote. Within sixty days of the first meeting of the Charter Commission, the Commission may vote to include other individuals or groups as members of the commission. Such proposal may include changes in the executive and representative bodies, changes in the assessment allocation formula, but not the total amount of the assessment, recommendations for further transfer of functions to the commonwealth, and other related operational rules and procedures. Such proposal shall be voted upon by the legislative bodies of each town in the Franklin County region not later than June thirty, nineteen hundred ninety-eight. Adoption of such charter proposal shall require a majority vote of the legislative bodies in a majority of the towns or a majority vote in a county-wide election. Pursuant to chapter fifty-three, fifty-four, fifty-five and fifty-five B, of the General Laws, the secretary of state shall place on the biennial election ballot the names of candidates for any generally elected positions created

by any charter proposal established under this section. The nomination papers of candidates for any generally elected positions created by the charter proposal, to be filled at state election, shall be signed by one hundred fifty voters. Candidates for election for any generally elected positions created by any charter proposal established under this section and the non-elected political committees organized on behalf of such candidates, if any, shall file reports of contributions received or expenditures made in accordance with section eighteen of said chapter fifty-five of the General Laws on or before: (1) the eighth day preceding a biennial state election, and, as a final report, the twentieth day of January in the following year complete as to the thirty-first day of December of the prior year; and (2) the eighth day preceding a special election, the thirtieth day following a special election, and, as a final report, the twentieth day of January in the following year complete as to the thirty-first day of December of the prior year. Such proposal shall also include provisions for towns to enter or leave participation in the base assessment and shall include a default option to abolish the Council of Governments in event such charter proposal is not approved. Such charter shall take effect not later than July first, nineteen hundred ninety-eight.

(X) The secretary of administration and finance, in consultation with the Franklin Council of Governments Committee, may issue guidelines to govern the implementation of this section.

(Y) Notwithstanding the provisions of any general or special law, or rule or regulation to the contrary, for the fiscal year beginning July first, nineteen hundred and ninety-six, all net costs incurred by, or attributable to, the operations of the Franklin County jail, registry of deeds, and court facilities shall become obligations of the commonwealth, to the extent that they exceed net costs for the fiscal year beginning July first, nineteen hundred and ninety-five and are determined to be reasonable by the county government finance review board.

Attachment C: III.B. Threshold Criteria for Assessment Grants

1. Applicant Eligibility - Section III.A.

The Franklin Regional Council of Governments (“FRCOG”) is a political subdivision of the State of Massachusetts and the Regional Planning Agency (RPA) for Franklin County, Massachusetts. As such, the FRCOG meets the eligibility requirements listed in Section III A. of the FY19 Guidelines for Brownfields Assessment Grants. The governing body of our organization (the “Council”) has representatives from all 26 communities, the Franklin Regional Planning Board, and two regionally elected officials. The Franklin Regional Planning Board, our policy advisor with respect to the FRCOG’s RPA function, has representatives from each town's Select Board and Planning Board, and 18 At-Large members representing key sectors of our region such as the environment and the business community. The FRCOG has a long history of working with the 26 towns within our region. As the RPA, we provide land use, natural resource, economic development and transportation planning services to our communities and the region. In addition, we provide extensive GIS database development, mapping, and analysis services and are an affiliate of the Massachusetts State Data Center. Our agency also provides procurement, accounting, health, building inspection, and other services on a regional basis. The FRCOG has been a past recipient of EPA Brownfields Assessment Grants for hazardous substances and petroleum products.

2. Community Involvement

The FRCOG is fully engaged with its member municipalities and Community Organizations (CO) to identify and select sites, solicit feedback on progress, and implement and report on assessment, clean-up and reuse planning activities. The plan for involving affected communities in site identification and selection has several tasks. The FRCOG has a waiting list of Brownfield sites identified by towns which includes six sites located in economically distressed and blighted areas of Franklin County: Turners Falls in Montague, downtown Orange, and the downtown and I -91 areas in Greenfield. These “Target Areas” areas have high poverty rates, vulnerable populations, and are suffering from disinvestment and blight and will be the focus of the requested grant. In addition, the FRCOG collects MADEP records to identify other potential sites and prepares a town survey to capture any additional sites. This survey will be distributed to municipal officials including Select Boards, Planning Boards, and Boards of Health. Outreach to solicit potential sites is also conducted with partnering COs, which is described in further detail later in this section.

The Brownfield Steering Committee meets quarterly and meeting notices are posted on our web site. Members of the Brownfield Steering Committee include two local banks, the Franklin County Housing & Redevelopment Authority (FCRHRA), the Franklin County Community Development Corporation (FCCDC), Community Action, the Franklin County Chamber of Commerce (FCCC) and municipalities. Meetings are open to the public and are located in our handicapped accessible conference room in Greenfield served by public transit. We conduct information sessions for property owners, municipal officials and neighborhood residents of sites being assessed. These meetings, held at Town Halls or in neighborhood locations, provide information about ESAs and an opportunity to get input from residents about health concerns or reuse ideas. They are often televised on local cable access. Franklin County does not have a large population of residents who speak English less than “very well”. According to 2017 ACS data, only 5% of the population over the age of 5 in Franklin County does not speak English “very

well” compared to 18% and 17% for the State and Nation. The languages most identified as spoken at home by residents who speak English less than “very well” are Spanish and Russian. If a particular neighborhood meeting would benefit from using another language, we will have an interpreter present the information and receive feedback.

COs have committed to: allowing FRCOG staff to present to community groups, municipal officials, and business leaders to promote the Regional Brownfields Program; providing support and offering referrals to identify Brownfield sites; assisting with outreach to residents, sensitive populations and community groups that may have sites in their neighborhoods. Specifically, Community Action allows FRCOG staff to present to their Franklin County Resource Network, a diverse group of social and human service agencies and assist with outreach to neighborhood residents. The FCCC has FRCOG present to its Board of Directors, which represent business and community organizations. The FCCDC has FRCOG present to their Loan Review Committee, made up of local bankers and community leaders. Additional COs include the Franklin County Regional Housing & Redevelopment Authority, Franklin Land Trust, and Connecticut River Conservancy. These groups have committed to referring potential sites to the FRCOG inventory and can assist in conducting outreach to impacted neighborhoods. The FRCOG will also present the Regional Brownfields Program at the Mohawk Area Public Health Coalition, which consists of local Board of Health members, and the Franklin County Regional Emergency Planning Committee. Both of these groups have a broad base of volunteer members that often respond to or have knowledge of hazardous substances and potential Brownfields sites in their communities.

Community Organization	Contact
Community Action Pioneer Valley	Ann Darling, Director of Planning & Resource Development; 413-376-1125
Franklin County Community Development Corporation	John Waite, Executive Director; 413-774-7204
Franklin County Regional Housing & Redevelopment Authority	Glen Ohlund, Director of Community Development; 413-863-9781
Franklin County Chamber of Commerce	Diana Szyal, Executive Director; 413-773-5463

3. Expenditure of Assessment Grant Funds

The FRCOG is not a current EPA Brownfield recipient. Previous funding from assessment grants awarded to the FRCOG were fully expended and the grants successfully closed out.

Please Note: This is not a site specific proposal. The FRCOG is submitting this grant application as a region-wide assessment proposal targeted for sites in four Target Areas in Franklin County potentially contaminated by hazardous substances. Any sites assessed will meet the Site Eligibility requirements of the EPA and will be approved by the EPA.

14. Areas Affected by Project:

The twenty-six municipalities of Franklin County, MA, which include Ashfield, Bernardston, Buckland, Charlemont, Colrain, Conway, Deerfield, Erving, Gill, Greenfield, Hawley, Heath, Leverett, Leyden, Monroe, Montague, New Salem, Northfield, Orange, Rowe, Shelburne, Shutesbury, Sunderland, Warwick, Wendell and Whately.

Application for Federal Assistance SF-424

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

01/29/2019

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name:

Franklin Regional Council of Governments

* b. Employer/Taxpayer Identification Number (EIN/TIN):

04-6001424

* c. Organizational DUNS:

0336778650000

d. Address:

* Street1:

12 Olive Street, Suite 2

Street2:

John W. Olver Transit Center

* City:

Greenfieldy

County/Parish:

Franklin County

* State:

MA: Massachusetts

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code:

01301-3318

e. Organizational Unit:

Department Name:

Planning Department

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Ms.

* First Name:

Peggy

Middle Name:

* Last Name:

Sloan

Suffix:

Title: Director of Planning & Development

Organizational Affiliation:

* Telephone Number:

413-774-3167 x133

Fax Number:

413-774-3169

* Email:

psloan@frcog.org

Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

E: Regional Organization

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

Environmental Protection Agency

11. Catalog of Federal Domestic Assistance Number:

66.818

CFDA Title:

Brownfields Assessment and Cleanup Cooperative Agreements

* 12. Funding Opportunity Number:

EPA-OLEM-OBLR-18-06

* Title:

FY19 GUIDELINES FOR BROWNFIELDS ASSESSMENT GRANTS

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

1234-SF424 Q14 Areas Affected.pdf

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

Brownfield Hazardous Substances Assessment for Franklin County, MA

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:*** a. Applicant * b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:* a. Start Date: * b. End Date: **18. Estimated Funding (\$):**

* a. Federal	<input type="text" value="200,000.00"/>
* b. Applicant	<input type="text" value="0.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="200,000.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☒ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☐ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title: * Telephone Number: Fax Number: * Email: * Signature of Authorized Representative: * Date Signed: